



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/634,109	08/04/2003	Noriyasu Mizushima	04995/113001	6390
Jonathan P. Osha ROSENTHAL & OSHA L.L.P. Suite 2800 1221 McKinney St. Houston, TX 77010				
EXAMINER BANTAMOL, ANTHONY				
ART UNIT		PAPER NUMBER		
2623				
MAIL DATE		DELIVERY MODE		
02/14/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/634,109

**Applicant(s)**

MIZUSHIMA, NORIYASU

**Examiner**

ANTHONY BANTAMOI

**Art Unit**

4115

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/ICE)  
Paper No(s)/Mail Date 08/04/2003
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by DeMartin et al, US Patent 6,226,672 (hereafter referenced as DeMartin).

Regarding claim 1, DeMartin discloses a workstation designed for accessing multimedia information via the internet comprising music video and data which reads on "a terminal including a terminal receiver which receives music list information, synchronized video information, synchronized video list information, relevant video information, relevant sound information, and relevant list information and which transmits, to a synchronization analyzer, the music list information, the synchronized video information, the synchronized video list information, the relevant video information, the relevant sound information, and the relevant list information" (column 2, lines 50-54, 60-62) in addition DeMartin discloses a workstation 26 wherein the TOC (table of content) read from each disk in the CD changer can be matched against the corresponding title and name of the track stored in the database of Music Web server 16 which reads on "CD drive for transmitting CD information to the synchronization analyzer; a terminal input device for transmitting input information to the synchronization analyzer; a music information reader for transmitting read

information to the synchronization analyzer" (column 4, lines 49-52) and is exhibited in figure 1. Furthermore, DeMartin discloses display screen for displaying multimedia information and input devices like keyboards matched between TOC data and web server 16 which reads on "a music information screen device for receiving music list information; a video information screen device for receiving the synchronized video list information and the relevant list information; a changeover button device; a display screen device for receiving the synchronized video information and the relevant video information; a performance device for receiving the CD information and the relevant sound information" (figure 1) in addition DeMartin discloses a workstation 26 comprising a receiver wherein the TOC (table of content) read from each disk in the CD changer can be matched against the corresponding title and name of the track stored in the database of Music Web server 16 which reads on "a synchronization analyzer which receives the music list information, the synchronized video information, the synchronized video list information, the relevant video information, the relevant sound information, the relevant list information, and the CD information and which transmits the music list information to the music information screen device, transmits the synchronized video list information and the relevant list information to the video information screen device, transmits the synchronized video information and the relevant video information to the display screen device, transmits the CD information and the relevant sound information to the performance device, and transmits the read information and the input information to a terminal transmitter" (column 4, lines 49-52) in addition DeMartin discloses a receiver 20 in workstation 26 for receiving music video

Art Unit: 4115

and data information from server 16 wherein the server receives TOC data of CD and matches it with already present data in server 16 to be reproduced and transmitted to workstation 26 which reads on "a terminal transmitter which receives the read information and the input information and transmits the read information and the input information to the server receiver; and a server including a server receiver which receives the read information and the input information and transmits the read information and the input information to an information analyzer; a music information storage device which stores the music information and the music list information; a synchronized video information storage device for storing the synchronized video information; a relevant information storage device for storing the relevant video information, the relevant sound information, and the relevant list information; an information analyzer which receives the read information and the input information and which transmits, to a server transmitter, the music list information, the synchronized video information, the synchronized video list information, the relevant video information, the relevant sound information, and the relevant list information; and a server transmitter which receives the music list information, the synchronized video information, the synchronized video list information, the relevant video information, the relevant sound information, and the relevant list information and which transmits, to the terminal receiver, the music list information, the synchronized video information, the synchronized video list information, the relevant video information, the relevant sound information, and the relevant list information, wherein one or a plurality of terminals are connected to the server by utilization of the Internet" (figure 1).

Claim 2 is the method performed by the system defined in claim 1. Therefore claim 2 is rejected on the same basis as claim 1.

Regarding claim 3, DeMartin discloses a work station or terminal including storage capabilities designed for accessing multimedia information via the internet comprising music video and data which reads on "a terminal B including a terminal receiver B which receives music list information, synchronized video information, synchronized video list information, relevant video information, relevant sound information, relevant list information, and in-process playback information and which transmits, to a synchronization analyzer B, the music list information, the synchronized video information, the synchronized video list information, the relevant video information, the relevant sound information, the relevant list information, buffering start information, and buffering end information" (column 2, lines 50-54, 60-62) in addition DeMartin discloses a workstation 26 wherein the TOC (table of content) read from each disk in the CD changer can be matched against the corresponding title and name of the track stored in the database of Music Web server 16 which reads on "a CD drive B for transmitting CD information to the synchronization analyzer B; a terminal input device B for transmitting input information B to the synchronization analyzer B; a music information reader B for transmitting read information B to the synchronization analyzer B" (column 4, lines 49-52) and is exhibited in figure 1. Furthermore, DeMartin discloses display screen for displaying multimedia information and input devices like keyboards matched between TOC data (table of content data) and web server 16 which reads on "a music information screen device B for receiving the music list information; a video

Art Unit: 4115

information screen device B for receiving the synchronized video list information and the relevant list information; an operation device; a display screen device B for receiving the synchronized video information and the relevant video information; a performance device B for receiving the CD information and the relevant sound information" (figure 1) in addition DeMartin discloses a workstation 26 comprising a receiver wherein the TOC (table of content) read from each disk in the CD changer can be matched against the corresponding title and name of the track stored in the database of Music Web server 16 which reads on " a synchronization analyzer B which receives the music list information, the synchronized video information, the synchronized video list information, the relevant video information, the relevant sound information, the relevant list information, the CD information, the buffering start information, and the buffering end information and which transmits the music list information to the music information screen device B, transmits the synchronized video list information and the relevant list information to the video information screen device B, transmits the synchronized video information and the relevant video information to the display screen device B, transmits the CD information and the relevant sound information to the performance device B, transmits the in-process playback information to the terminal receiver B, and transmits the read information B and the input information B to the terminal transmitter B" (column 4, lines 49-52) in addition DeMartin discloses a receiver 20 in workstation or terminal 26 for receiving music video and data information from server 16 wherein the server receives TOC data of CD and matches it with already present data in server 16 to be reproduced and transmitted to workstation 26 which reads on "and a terminal

transmitter B which receives the read information B and the input information B and transmits the read information B and input information B to the server receiver B; and a server B including a server receiver B which receives the read information B and the input information B and transmits the read information B and the input information B to the information analyzer B; a music information storage device B which stores the music information and the music list information; a synchronized video information storage device B for storing the synchronized video information; a relevant information storage device B for storing the relevant video information, the relevant sound information, and the relevant list information; an information analyzer B which receives the read information B and the input information B and which transmits, to a server transmitter B, the music list information, the synchronized video information, the synchronized video list information, the relevant video information, the relevant sound information, and the relevant list information; and a server transmitter B which receives the music list information, the synchronized video information, the synchronized video list information, the relevant video information, the relevant sound information, and the relevant list information and which transmits, to the terminal receiver B, the music list information, the synchronized video information, the synchronized video list information, the relevant video information, the relevant sound information, and the relevant list information, wherein one or a plurality of terminals B are connected to the server B by utilization of the Internet" (figure 1).

Regarding claim 4, DeMartin discloses a work station or terminal including storage capabilities designed for accessing multimedia information via the internet



comprising music video and data which reads on "a terminal C including a terminal receiver B which receives music list information, synchronized video information, synchronized video list information, relevant video information, relevant sound information, relevant list information, and in-process playback information and which transmits, to a synchronization analyzer C, the music list information, the synchronized video information, the synchronized video list information, the relevant video information, the relevant sound information, the relevant list information, buffering start information, and buffering end information" (column 2, lines 50-54, 60-62) in addition DeMartin discloses a workstation 26 wherein the TOC (table of content) read from each disk in the CD changer can be matched against the corresponding title and name of the track stored in the database of Music Web server 16 which reads on "a CD drive B for transmitting CD information to the synchronization analyzer C; a terminal input device B for transmitting input information B to the synchronization analyzer C; a music information reader B for transmitting read information B to the synchronization analyzer C" (column 4, lines 49-52) and is exhibited in figure 1. Furthermore, DeMartin discloses display screen for displaying multimedia information and input devices like keyboards matched between TOC data (table of content data) and web server 16 which reads on "a music information screen device B for receiving the music list information; a video information screen device B for receiving the synchronized video list information and the relevant list information; an operation device; a display screen device B for receiving the synchronized video information and the relevant video information; a performance device B for receiving the CD information and the relevant sound information" (figure 1)

in addition DeMartin discloses a workstation 26 comprising a receiver wherein the TOC (table of content) read from each disk in the CD changer can be matched against the corresponding title and name of the track stored in the database of Music Web server 16 which reads on "a synchronization analyzer C which receives the music list information, the synchronized video information, the synchronized video list information, the relevant video information, the relevant sound information, the relevant list information, the CD information, the buffering start information, the buffering end information, and stable information and which transmits the music list information to the music information screen device B, transmits the synchronized video list information and the relevant list information to the video information screen device B, transmits the synchronized video information and the relevant video information to the display screen device B, transmits the CD information and the relevant sound information to the performance device B, transmits the in-process playback information to the terminal receiver B, transmits time lag information A and time lag information B to a stability determination device, transmits the read information B and the input information B to the terminal transmitter B stores CD information into a CD information storage device, and extracts the CD information from the CD information storage device" (column 4, lines 49-52) in addition DeMartin discloses a receiver 20 in workstation or terminal 26 for receiving music video and data information from server 16 wherein the server receives TOC data of CD and matches it with already present data in server 16 to be reproduced and transmitted to workstation 26 which reads on "a CD information storage device for storing CD information; a stability determination device which receives the time lag

Art Unit: 4115

information A and the time lag information B and transmits stable information to the synchronization analyzer C; a terminal transmitter B which receives the read information B and the input information B and transmits the read information B and input information B to the server receiver B; and a server B including a server receiver B which receives the read information B and the input information B and transmits the read information B and the input } information B to the information analyzer B; music information storage device B which stores the music information and the music list information; a synchronized video information storage device B for storing the synchronized video information; a relevant information storage device B for storing the relevant video information, the relevant sound information, and the relevant list information; an information analyzer B which receives the read information B and the input information B and which transmits, to a server transmitter B, the music list information, the synchronized video information, the synchronized video list information, the relevant video information, the relevant sound information, and the relevant list information; and a server transmitter B which receives the music list information, the synchronized video information, the synchronized video list information, the relevant video information, the relevant sound information, and the relevant list information and which transmits, to the terminal receiver B, the music list information, the synchronized video information, the synchronized video list information, the relevant video information, the relevant sound information, and the relevant list information, wherein one or a plurality of terminals C are connected to the server B by utilization of the Internet" (figure 1).

Claim 5 is the method performed by the system defined in claim 3. Therefore claim 5 is rejected on the same basis as claim 3.

Claim 6 is the method performed by the system defined in claim 4. Therefore claim 6 is rejected on the same basis as claim 4.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANTHONY BANTAMOI whose telephone number is (571)270-3581. The examiner can normally be reached on MON. - FRI.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jefferey Harold can be reached on (571) 272 7519. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Art Unit: 4115

Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Anthony Bantamoi  
Examiner  
Art Unit 4115

AB  
/Jefferey F Harold/  
Supervisory Patent Examiner, Art Unit 4115